

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1, 4 and 7-10 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claims 7, 9 and 10 as being allowable and the subject matter of claim 8 as being allowable if amended to overcome the objections. Claim 8 has been amended to overcome the objections as required. Accordingly, claims 7-10 are now in condition for allowance.

Drawings

The Examiner objected to the drawings as not showing every feature of the claimed invention. By way of the present Amendment, Applicants are submitting a new Fig. 9 which shows the invention described in claim 7. Applicants have also added a listing of the figure on page 3 in the Brief Description of the Drawings and have added a reference to Fig. 9 in the final paragraph of the

specification where this figure is described. Accordingly, this drawing objection is believed to be overcome.

Claim Objections

The Examiner objected to claims 3 and 5 as being in improper dependent form. By way of the present Amendment, Applicants have cancelled claims 3 and 5 to render this objection moot.

The Examiner objected to claim 4 due to two informalities. In regard to the misspelling of the word "nozzles," Applicants have now corrected this error. The Examiner also objected to the use of the term "holes" and indicated that it was unclear what this corresponded to. The Examiner is referred to Figs. 5 and 7 which show element 42 which is the hole referred to. This is described in the specification on page 5, lines 1 and 2. These holes are different than the slots which are separately claimed.

In regard to claim 8, the Examiner points out that the word "other" is misspelled and there is a lack of antecedent basis for the other side. By way of the present Amendment, Applicants have changed this language to refer to another side, in order to avoid both of these problems. Accordingly, Applicants submit that these objections are overcome.

Rejection under 35 USC 102

Claims 1 and 3-5 stand rejected under 35 USC 102 as being anticipated by Chee (U.S. Patent 6,499,835). This rejection is respectfully traversed.

First, it is noted that claims 3 and 5 have been cancelled rendering this part of the rejection moot.

Secondly, Applicants note that the priority date of the present application is August 28, 2001, almost 5 months before the U.S. filing date of the Chee et al. patent. Accordingly, Applicants submit that this patent may not be used in a prior art rejection because it is predated by the present priority date.

Furthermore, with regard to the Chee et al. reference, Applicants disagree with the Examiner's understanding of the reference. The Examiner refers to Fig. 1 and states that the first barrier layer 209 has a plurality of ink channels that are connected to the firing chambers and the main ink supply channel. While layer 209 does have an opening 207 to form a firing chamber, there is no channel in this layer for receiving the ink. Instead, a channel 211 is formed which extends into the substrate and through layer 31. However, this channel is not formed in the first barrier layer.

Applicants furthermore submit that layer 31 is not a barrier layer, but instead is a supporting layer. Further, the second

barrier layer is defined as having a plurality of slots which extend from the ink supply to the inlets of the ink channels. Thus, the first barrier layer has ink channels and the second barrier layer has a plurality of slots which form auxiliary ink supply channels. Fig. 1 of the Chee et al. reference only shows one set of channels 213. Accordingly, Applicants submit that Fig. 1 of the reference does not show the present invention.

It is noted that Fig. 2 shows an arrangement having a conduit 301 provided in barrier layer 209. Thus, in this embodiment, the first barrier layer could be correlated to layer 209 which has firing chambers 207 therein. However, Applicants submit that layer 311 is a support layer (Col. 3, lines 18-20) and not a barrier layer. Further, the slots provided could not extend to the inlets of the ink channels, but rather extend to the firing chamber itself. Thus, the arrangement of the slots is different in the present invention than in Chee et al. For these reasons, Applicants submit that claim 1 is not anticipated by Chee et al.

In the present application, the auxiliary ink supply channel 41 provides for ink to be stored closer to the inlet of the ink channels so that the ink supply speed is faster. Thus, the second barrier layer has an auxiliary ink supply 41 which stores this ink. Without this auxiliary supply channel, ink flows through the ink channel inlet 23 but does not have an auxiliary supply. This

differs from the arrangement in Chee et al. where there is no storing function in the slots.

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patent relied on by the Examiner. In view of this, reconsideration of the rejections and allowance of all of the claims are respectfully requested.

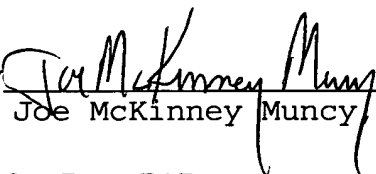
In the event that any outstanding matters remain in this application, the Examiner is invited to contact the Robert F. Gnuse (27,295) at (703) 205-8000 in the Washington, D.C. area.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a one-month extension of time for filing a reply in connection with the present application, and the required fee of \$60.00 is attached hereto.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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